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SUBJECT: EULEX KOSOVO COMMITTEE OF CONTRIBUTORS DISCUSSES
RECONFIGURATION AND DEPLOYMENT

REF: USEU BRUSSELS 808

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¶1. (SBU) Summary: During the July 16 EULEX Kosovo Committee of Contributors meeting, EU Civilian Operations Commander Kees Klompenhouwer told EU member and third-state contributors that the EU and the UN were still trying to reach agreement on reconfiguration details. As a result of the unexpected delays in this process, EULEX is unlikely to reach full operational capability until late 2008. Klompenhouwer highlighted the EU's recent agreement on an operational plan annex addressing non-majority areas. The U.S. was joined by other contributors in welcoming the annex and the commitment to deploy throughout Kosovo implied by its adoption. Many participants emphasized the need for clarity from the UN on timing of the transfer of authority, and some contributors called on EU members to help positively influence the EU-UN negotiations by reminding UN officials that the EU remains united on moving EULEX forward, despite lack of unanimity in recognizing Kosovo's independence. EULEX Head of Police Rainer Kuehn briefed contributors on the police deployment timeline, noting that the EU currently has 300 personnel deployed in all regions of Kosovo, and when agreement is reached with the UN, the EU is prepared to resume deployments immediately. A number of participants urged the EU to find a more systematic and efficient approach to sharing mission-related information with third states. End Summary.

¶2. (SBU) EU Civilian Operations Commander Kees Klompenhouwer opened the second EULEX Committee of Contributors (CoC) meeting on July 16 by welcoming the fifth official third-state contributor, Croatia. (Previous CoC meeting reported reftel). Briefly outlining the current state of play on mission planning in Brussels, Klompenhouwer told member and third-state participants that the optimism the EU felt on June 26 when the UN reconfiguration instructions were issued has been mitigated by the complexity of the process, which has been slower and more drawn out than expected. The EU is still looking for clarity from the UN on areas of reconfiguration, privileges and immunities for mission personnel, transfer of assets and transfer of staff. Klompenhouwer drew participants' attention to the EULEX Operational Plan (OPLAN) annex on Non-Majority Areas (NMAs), agreed on July 15 by the Political and Security Committee (document e-mailed to EUR/SCE). Klompenhouwer underscored the EU's willingness to hold another CoC meeting to discuss this final OPLAN annex if the non-EU contributors wanted to do so. He added that CPCC also hoped to use regular CoC

meetings to introduce contributors to senior EULEX staff.

Annex for NMAs and Calls for Full Deployment

13. (SBU) USEU Charge d'Affaires opened the discussion by highlighting the need for EULEX to deploy as quickly and effectively as possible, and to ensure that there would be no security gap during the transition period. Norway, Croatia, and Switzerland agreed with the U.S. position. Klompenhouwer responded, saying that the EU had no indications of a major risk to stability from either side. He further noted that UNMIK will retain executive responsibility in Kosovo until the EU takes over.

14. (SBU) Charge was also joined by the UK, Norway and Croatia in welcoming the annex for the NMAs and underscoring the importance of EULEX deployment throughout Kosovo. The UK official explained that the document provides a meaningful demonstration of how the EU is building its presence in Kosovo. He added that that the annex detailed ways in which EULEX "might" tackle the NMAs, and emphasized that that the EU should be prepared to adjust its approach as necessary to address events on the ground. (Note: UK rep told Charge separately that the idea of producing an annex to define the EU presence in the NMAs had been controversial, but the UK and others pushed for it to demonstrate the EU's intent to deploy throughout Kosovo.) Most third state contributors and many member states agreed with Klompenhouwer's suggestion to hold a separate CoC meeting to discuss the annex.

Questions about Timing, Bigger EU Push at the UN

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15. (SBU) On the subject of EU-UN discussions, Turkey, Switzerland, and Germany raised questions on anticipated timing of the transfer of authority from UNMIK to EULEX. Norway and the UK joined the U.S. in urging contributors to seek clarity from the UN on the modalities of the reconfiguration. Specifically, the UK noted EU unity on EULEX deployment and urged all EU members -- whether they had recognized Kosovo or not -- to appeal directly to DPKO and UN authorities to disabuse them of any ideas that the EU was divided on moving this mission forward. Norway added that an unclear division of labor between the EU and UN risked paralyzing Kosovar institutions, and argued that the EU should not agree to arrangements that imply that Kosovo's status remains unresolved.

16. (SBU) Klompenhouwer refused to be drawn into questions about the EU's approach to the UN and DPKO. He said that it was a "sensitive area" and that CPCC did not want to be unhelpful to the NY process, but would work to keep the UN focused on issues that needed to be resolved. He emphasized that the EU would deploy under the umbrella of the UN, but would maintain its own autonomous command and control procedures. On timing, Klompenhouwer admitted that there would be a delay, and that it would likely be the end of the year -- not October as initially hoped -- before EULEX would be fully operational.

Police Deployments and Selections

17. (SBU) EULEX Head of Police Rainer Kuehn briefed the group on the status of police deployments, explaining that 300 EULEX personnel are currently in Kosovo, with small contingents deployed throughout the country, including the north. As soon as satisfactory arrangements are reached with the UN further deployment can begin, and the next group to be deployed will include 60 personnel identified as key staff; a list of those positions soon will be provided to contributors. Anticipating a weekly deployment rate of 100 staff members after that, Kuehn said that by week 8, EULEX

would have approximately 500 International Police Officers (IPOs) in Kosovo. The EU anticipates that 150 of the 350 IPOs currently serving in UNMIK who are slated to transfer to EULEX will transfer during the 120-day reconfiguration time frame. The rest will move to EULEX only upon transfer of authority (ToA), so as to better preserve UNMIK's ability to perform its executive functions during the interim period. Additionally, the 450 officers in Formed Police Units in KFOR and UNMIK will stay at their posts until ToA.

¶8. (SBU) Admitting that EULEX has received a number of questions about the selection procedures for mission personnel, Kuehn explained that the EU approach to staffing the mission is very different to that of UNMIK. While UNMIK relies on sending states to provide staff who are assigned positions upon arrival in Kosovo, the EU has issued job descriptions and requirements for each position in the mission, so each candidate must apply for one or multiple specific positions. The EU also conducts interviews for the senior-level positions. Kuehn admitted that the EU's process inevitably takes longer than the UNMIK method, but argued that the EU was able to ensure it received the best possible candidates by adhering to this procedure.

¶9. (SBU) Kuehn asked CoC participants to alert their national capitals that the annex on NMAs describes an additional 334 positions to reinforce the EULEX presence in the north and enclaves, and that the EU will hope to fill those slots in a call for contributions to be issued later this month. He added that EULEX and the Civilian Planning and Conduct Capability (CPCC) are currently examining candidates for the other 160 remaining vacancies in the mission, but anticipate that some will go unfilled during this round, and therefore, some jobs will be re-issued soon. Because of the delay in reaching full operational capability, Kuehn also requested that contributing states make available their personnel to EULEX for at least six months after ToA. A shorter time frame would inhibit officers from developing relationships and credibility with local authorities and populations, he argued.

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Requests for More Information Sharing and Policy Details

¶10. (SBU) Led by Turkey, a number of participants including Switzerland, the Netherlands, Finland, and Italy urged the EU to implement a more efficient system for the dissemination of mission-related information to third states. Noting previous requests to be provided with relevant documents on a timely basis, the Turkish rep highlighted the absence of a systematic means of delivering the documents. The Dutch and Finnish officials said that frequent briefings from senior EULEX officials were useful in maintaining national commitment and generating political acceptance in capitals. They urged CPCC to conduct frequent briefings for member and third-state contributors. The French Presidency also emphasized the importance of the CoC format to disseminate information and exchange opinions, as well as to offer French support for holding the meetings as often as necessary.

¶11. (SBU) In response to a U.S. question about whether the EU planned to issue a handbook outlining EU policies and procedures for police operations, Klompenhouwer told Charge privately that Pristina-based staff were working on such a document, but because the EU has to try to define one set of EU police practices from 27 similar, but not identical, national police standards, the handbook has been a challenge to complete. CPCC is attempting to keep the discussion away from Brussels, he said, because it would inevitably raise a great deal of unhelpful debate among interior ministers.

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